

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TINA K. BROWN, o/b/o JDH, a minor child, )	
Plaintiff, )	CASE NO. C12-5299-MAT
v. )	
MICHAEL J. ASTRUE, )	ORDER DENYING MOTION FOR
Commissioner of Social Security, )	EXTENSION OF BRIEFING
Defendant. )	SCHEDULE AND GRANTING
_____ )	LEAVE TO REFILE A SHORTER
	REQUEST

Plaintiff filed a second unopposed motion for extension of time of the briefing schedule. The first request, for thirty days, was granted, and plaintiff's Opening Brief is due on September 20, 2012. The second request, filed today, is for sixty days, and is requested due to an omission in the administrative record of a medical expert's testimony that the ALJ relied on to reach a decision.

Plaintiff is entitled to a complete administrative record, however the sixty day extension requested by plaintiff is too long. Such a time frame does not allow the court adequate time to review the briefing and issue an order in a timely manner. This is especially true in light of the fact that plaintiff has already had benefit of a thirty day extension and now brings this motion

ORDER DENYING MOTION FOR EXTENSION  
OF BRIEFING SCHEDULE AND GRANTING LEAVE  
TO REFILE A SHORTER REQUEST

01 notifying the court of an incomplete administrative record only two days before the new  
02 deadline. Plaintiff's motion for a sixty day extension is DENIED.

03 However, since the administrative record remains incomplete, the court will allow  
04 plaintiff to file a new unopposed motion requesting a shorter extension of time of  
05 approximately 30 to 35 days. If defendant cannot provide to plaintiff the missing transcript  
06 within that time period, the parties are directed to notify the court in a joint filing of the  
07 proposed action(s) necessary and the amount of time required to complete the record.

08 The parties should note that a second extension will likely be, absent extraordinary  
09 circumstances, the last extension granted to either party, and should plan accordingly.

10 DATED this 19th day of September, 2012.

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13 Mary Alice Theiler  
14 United States Magistrate Judge  
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